

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHARLES H. ROBERTS, <i>et al.</i> ,)	
)	
Plaintiff)	
)	
v.)	No. 3:11-1127
)	Judge Sharp/Bryant
)	Jury Demand
DERRICK D. SCHOFIELD, <i>et al.</i> ,)	
)	
Defendant)	

O R D E R

Pending in this case are two motions for joinder filed by nonparties Jonathan Ellis and Damien Tolson (Docket Entry Nos. 134 and 167). Mr. Ellis in his motion asserts that he is a Jewish inmate confined in the custody of the Tennessee Department of Corrections and that he is not being allowed to participate in proper meetings, observances, rites and festivals mandated by his faith. Ellis seeks to join this case as an additional plaintiff.

In his motion, Mr. Tolson does not claim to be Jewish, but he asserts that he has evidence that Jewish inmates are having "major problems" obtaining proper Kosher meals and that he would be willing to be subpoenaed as a material witness in this case. Mr. Tolson also seeks to join this lawsuit as an additional plaintiff.

The undersigned Magistrate Judge, upon consideration of these two motions, finds that neither Mr. Ellis nor Mr. Tolson have demonstrated that their participation as plaintiffs in this lawsuit is essential under the standards of Rule 19 of the Federal Rules of Civil Procedure. To the contrary, the undersigned finds that to add Mr. Ellis or Mr. Tolson to this case as additional plaintiffs would unduly complicate the conduct of this action and would prejudice

the current parties by delaying materially a resolution of the claims in this case.

For the foregoing reasons, the motion for joinder filed by nonparties Ellis and Tolson (Docket Entry Nos. 134 and 160) are **DENIED** without prejudice to their rights to file their own actions if they wish.

It is so **ORDERED**.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge